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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,435	11/21/2001	Martin Hillebrand Blees	PHNL000625	3638

24737 7590 06/04/2003

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EXAMINER

CULLER, JILL E

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,435

Applicant(s)

BLEES ET AL.

Examiner

Jill E. Culler

Art Unit

2854

-- Th MAILING DATE of this communication appears on the cover sheet with the corresponding address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/17/03.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the apparatus for providing a patterned layer on a substrate, as in claim 9, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: On page 2, line 34, applicant includes a reference to the claims, which is inappropriate as the content of the claims will change during prosecution. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 3,277,819 to Berkland.

Art Unit: 2854

Berkland clearly shows a stamp, 10, which comprises a stamp body, 18, with a first side and a second, opposed side, with a structured printing face, 19, at the first side and a reservoir for a liquid at the second side, which stamp body is permeable to the liquid, characterized in that a carrier body, 16, is present between the stamp body and the reservoir and is permeable to the liquid present in the reservoir, and liquid is transported from the reservoir to the printing face during use. Berkland also shows that the carrier body, 16, has a first side and a second, opposed side, with the stamp body, 18, at the first side and the reservoir at the second side, and comprises channels, 16d, at least a portion of which extends from the first side to the second side of the carrier body. See column 3, lines 11-13. Berkland further shows that the channels, 16d, at the first side of the carrier body each have a diameter which is smaller than the distance between the first side and the second side of the stamp body.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berkland in view of U.S. Patent No. 3,678,848 to Roser et al.

With respect to claim 5, Berkland teaches all that is claimed, as in the above rejection of claims 1-4, except that the reservoir comprises a porous material.

Roser et al. teaches a stamp having a reservoir, 12, comprised of a porous material. See column 3, lines 43-46.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the stamp of Berkland using the porous material of Roser et al. in order to have a well controlled dispersion of ink to the inking surface as taught by Roser et al. See column 4, lines 34-37.

With respect to claim 6, Berkland teaches all that is claimed, as in the above rejection of claims 1-4, except that the stamp is cylindrical in shape, with the printing face forming the outermost cylindrical shell.

Roser et al. teaches a stamp that is cylindrical in shape, with the printing face forming the outermost cylindrical shell. See Fig. 14 in particular.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use a cylindrical shape, as shown by Roser et al., to be able to use the stamp of Berkland in an automated continuous stamping operation.

7. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berkland in view of U.S. Patent No. 6,180,239 to Whitesides, et al.

With respect to claims 7-8, Berkland teaches a stamp, as in the above rejection of claims 1-4. Berkland also teaches a method of printing, using a stamp provided with a structured printing face, comprising bringing the stamp into contact with a substrate

such that a liquid present at the printing face is transferred to the surface of the substrate. See column 4, lines 65-71.

Berkland does not teach a method of printing an electronic component comprising the patterning of a surface of a substrate by means of a stamp. Berkland also does not teach that the stamp is cylindrical in shape and is rotated when being applied to the substrate such that the entire printing face of the stamp is rolled over the substrate.

Whitesides, et al. teaches a method of printing an electronic component comprising the patterning of a surface of a substrate by means of a stamp. See column 2, lines 28-35. Whitesides et al. also teaches a stamp that is cylindrical in shape and is rotated when being applied to the substrate such that the entire printing face of the stamp is rolled over the substrate. See column 11, lines 15-26 and Fig. 5a-5c in particular.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use the stamp of Berkland with the method of Whitesides et al. as Whitesides et al. teaches that his method results in very well-defined, very closely-spaced regions, see column 8, lines 39-41, which is desirable in the printing of electronic components. It would also have been obvious to one having ordinary skill in the art at the time of the invention to use the cylindrical shape taught by Whitesides et al. for the stamp of Berkland to be able to use the stamp of Berkland in an automated continuous stamping operation.

With respect to claim 9, Berkland teaches a stamp, as in the above rejection of claims 1-4. Berkland does not teach an apparatus for providing at least one patterned layer on a substrate.

Whitesides et al. teaches an apparatus for providing at least one patterned layer on a substrate, which apparatus is provided with a stamp.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use the stamp of Berkland with the apparatus of Whitesides et al. as explained in the above reasons for the rejection of claims 7-8.

Response to Arguments

8. Applicant's arguments filed March 17, 2003 have been fully considered but they are not persuasive.

With respect to applicant's argument that Berkland mentions a carrier body made up of holes but fails to recite or suggest a permeable carrier body, it is noted that permeable is defined as "capable of being penetrated or passed through". This definition applies to a carrier body made up of holes. Therefore, Berkland meets the language of the claim.

With respect to applicant's argument that Roser does not specify the porosity of the inking pad, in column 3, lines 43-46 Roser clearly describes a porous mat providing an ink reservoir, which would suggest to one of ordinary skill in the art, that a porous material would be acceptable for use in an ink reservoir in another apparatus, such as that described by Berkland.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (703) 308-1413. The examiner can normally be reached on M-Th 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Art Unit: 2854

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

jec
May 29, 2003

A handwritten signature in black ink, appearing to read 'Dan Colilla', with a stylized flourish at the end.

Dan Colilla
Primary Examiner
Art Unit 2854